

1-1 By: Huffman S.B. No. 324  
 1-2 (In the Senate - Filed January 10, 2019; February 7, 2019,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 March 27, 2019, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; March 27, 2019, sent to printer.)

1-6 COMMITTEE VOTE

|                | Yea | Nay | Absent | PNV |
|----------------|-----|-----|--------|-----|
| 1-7 Huffman    | X   |     |        |     |
| 1-8 Hughes     | X   |     |        |     |
| 1-9 Birdwell   | X   |     |        |     |
| 1-10 Creighton | X   |     |        |     |
| 1-11 Fallon    | X   |     |        |     |
| 1-12 Hall      | X   |     |        |     |
| 1-13 Lucio     | X   |     |        |     |
| 1-14 Nelson    | X   |     |        |     |
| 1-15 Zaffirini | X   |     |        |     |

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the disposition of a firearm seized from certain  
 1-20 persons with mental illness.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Articles 18.191(c) and (d), Code of Criminal  
 1-23 Procedure, are amended to read as follows:

1-24 (c) Not later than the 30th day after the date a firearm  
 1-25 subject to disposition under this article is seized, the law  
 1-26 enforcement agency holding the firearm shall contact the court in  
 1-27 the county having jurisdiction to order commitment under Chapter  
 1-28 574, Health and Safety Code, and request the disposition of the  
 1-29 case. Not later than the 30th day after the date of this request,  
 1-30 the clerk of the court shall advise the requesting agency whether  
 1-31 the person taken into custody was released under Section 573.023 or  
 1-32 574.028, Health and Safety Code, or was ordered to receive  
 1-33 inpatient mental health services under Section 574.034 or 574.035,  
 1-34 Health and Safety Code.

1-35 (d) Not later than the 30th day after the date the clerk of  
 1-36 the court informs a law enforcement agency holding a firearm  
 1-37 subject to disposition under this article that the person taken  
 1-38 into custody was released under Section 573.023 or 574.028, Health  
 1-39 and Safety Code, the law enforcement agency shall:

1-40 (1) conduct a check of state and national criminal  
 1-41 history record information to verify whether the person may  
 1-42 lawfully possess a firearm under 18 U.S.C. Section 922(g); and

1-43 (2) provide written notice to the person by certified  
 1-44 mail that the firearm may be returned to the person on verification  
 1-45 under Subdivision (1) that the person may lawfully possess the  
 1-46 firearm.

1-47 SECTION 2. This Act takes effect September 1, 2019.

1-48 \* \* \* \* \*